GOVERNMENT OF INDIA
POWER
LOK SABHA

UNSTARRED QUESTION NO:2031
ANSWERED ON:30.11.2007
PRIVATE POWER SUPPLY COMPANIES UNDER RTI ACT
Agarwal Shri Dhirendra

Will the Minister of POWER be pleased to state:

(a) whether Private Electricity Distribution Companies working in power sector are out of the gambit of Right to Information;

(b) if so, the reasons therefor; and

(c) steps taken by Government to bring them under the ambit of RTI Act?

Answer

THE MINISTER OF POWER (SHRI SUSHILKUMAR SHINDE)

(a) & (b) : Under Section 2 (j) of the Right to Information Act, 2005 (RTI Act), the `right to information` means the right to information accessible under that Act which is held by or under the control of any public authority; further, under Section 2 (h) of the RTI Act, `Public Authority` means any authority or body or institution of self-government established or constituted:-

a. by or under the Constitution;
b. by any other law made by Parliament;
c. by any other law made by State Legislature;
d. by notification issued or order made by the appropriate Government,
and includes any:-

(i) body owned, controlled or substantially financed;

(ii) non-Government organization substantially financed; directly or indirectly by funds provided by the appropriate Government.

Accordingly, Private Electricity Distribution Companies are public authorities if they are covered by the above.

(c) : According to information received from the Department of Personnel & Training (DoP&T), there are no instructions on bringing private companies under the purview of the RTI Act, if they are not covered under the above.